

EXHIBIT M

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

HASSAN A. TUCKER,	:	
	:	
Plaintiff	:	No. 1:22-CV-0631
	:	
v.	:	Judge Conner
	:	
JOHN E WETZEL, GEORGE	:	Electronically Filed Document
LITTLE, CORRECTIONAL <i>and</i>	:	
OFFICER KIMBERLEY,	:	<i>Complaint Filed 04/29/22</i>
	:	
Defendants	:	

DECLARATION OF MATTHEW KIMBERLY

1. I, Matthew Kimberly, am an employee of the Commonwealth of Pennsylvania, Department of Corrections (“DOC”) at the State Correctional Institution at Houtzdale (“SCI Houtzdale”).
2. In April 2020, I was a Corrections Officer I at the State Correctional Institution at Rockview (“SCI Rockview”).
3. On April 27, 2020, I was working at SCI Rockview on the 2:00 PM to 10:00 PM shift. *See Attachment A* (Shift Roster 27 April 2020).
4. On April 27, 2020, I was assigned to be a utility/transport officer at the hospital. *See Id.*
5. If inmates are deemed high risk for transport to the hospital, they will be required to wear the Remotely Activated Custody Control (“RACC”) belt.

6. An officer assigned to the hospital will then be given a remote control which activates the RACC belt.
7. During my time at SCI Rockview, I never activated the RACC belt.
8. On April 28, 2020, I was working at SCI Rockview on the 2:00 PM to 10:00 PM shift. *See Attachment B* (Shift Roster 28 April 2020).
9. On April 28, 2020, I was assigned to be the outside security patrol for four (4) hours of my shift and in tower five (5) for four (4) hours of my shift. *See Id.*
10. On April 29, 2020, I was not working at SCI Rockview as I was scheduled to be off. *See Attachment C* (Shift Roster 29 April 2020).
11. On April 30, 2020, I was not working at SCI Rockview as I was scheduled to be off. *See Attachment D* (Shift Roster 30 April 2020).

I, Matthew Kimberly, hereby verify under penalty of perjury in accordance with 28 U.S.C. § 1746 that the foregoing Declaration is true and correct to the best of my knowledge, information, and belief.

1/20/24
Date

Matthew Kimberly
Matthew Kimberly
Sergeant
Department of Corrections
SCI Houtzdale

ATTACHMENT A

[illegible]

A	Vacancies	J	DOC Bus	S	CN
B	Security Review- All posts which are above	K	Commission Officer Specify	T	Stress
C	Hospital Posts	L	Admin Duties- Meetings, Reports, Late	U	Block Training
D	Hosp. Post from other institutions	M	Disability Leave (DH, DA, DL, MH)	V	Honor Guard
E	Medical Transports	N	AW	W	HNT
F	Medical Transports from other institutions	O	Military Leave (M or MO)	X	FERT
G	Non-Medical Transports	P	Disciplinary Leave	Y	CERT/HRT (Specify)
H	Non-Medical Transports from other institutions	Q	Bereavement Leave	Z	Out Service
I	POC	R	FMLA	AA	All other- Specify
OVERTIME JUSTIFICATION WILL BE MARKED ACCORDING TO THE ABOVE LIST					

ATTACHMENT B

A	Vacancies	J	DOC Bus	S	CN
B	Security Review- All posts which are above	K	Commission Officer Specify	T	Stress
C	Hospital Posts	L	Admin Duties- Meetings, Reports, Late	U	Block Training
D	Hosp. Post from other institutions	M	Disability Leave (DH, DA, DL, MH)	V	Honor Guard
E	Medical Transports	N	AW	W	HNT
F	Medical Transports from other institutions	O	Military Leave (M or MO)	X	FERT
G	Non-Medical Transports	P	Disciplinary Leave	Y	CERT/HRT (Specify)
H	Non-Medical Transports from other institutions	Q	Bereavement Leave	Z	Out Service
I	POC	R	FMLA	AA	All other- Specify
OVERTIME JUSTIFICATION WILL BE MARKED ACCORDING TO THE ABOVE LIST					

Shift Commander

ATTACHMENT C

[illegible]

SPECIAL ASSIGNMENTS		SPECIAL ASSIGNMENTS	
OFFICER	ASSIGNMENT	OFFICER	ASSIGNMENT
[REDACTED]	[REDACTED]		
[REDACTED]	[REDACTED]		
[REDACTED]	[REDACTED]		
[REDACTED]	[REDACTED]		
			[REDACTED] [REDACTED]
			[REDACTED] [REDACTED]
			[REDACTED] [REDACTED]
			[REDACTED] [REDACTED]

A	Vacancies	J	DOC Bus	S	CN
B	Security Review- All posts which are above	K	Commission Officer Specify	T	Stress
C	Hospital Posts	L	Admin Duties- Meetings, Reports, Late	U	Block Training
D	Hosp. Post from other institutions	M	Disability Leave (DH, DA, DL, MH)	V	Honor Guard
E	Medical Transports	N	AW	W	HNT
F	Medical Transports from other institutions	O	Military Leave (M or MO)	X	FERT
G	Non-Medical Transports	P	Disciplinary Leave	Y	CERT/HRT (Specify)
H	Non-Medical Transports from other institutions	Q	Bereavement Leave	Z	Out Service
I	POC	R	FMLA	AA	All other- Specify
OVERTIME JUSTIFICATION WILL BE MARKED ACCORDING TO THE ABOVE LIST					

Shift Commander

ATTACHMENT D

A	Vacancies	J	DOC Bus	S	CN
B	Security Review- All posts which are above	K	Commission Officer Specify	T	Stress
C	Hospital Posts	L	Admin Duties- Meetings, Reports, Late	U	Block Training
D	Hosp. Post from other institutions	M	Disability Leave (DH, DA, DL, MH)	V	Honor Guard
E	Medical Transports	N	AW	W	HNT
F	Medical Transports from other institutions	O	Military Leave (M or MO)	X	FERT
G	Non-Medical Transports	P	Disciplinary Leave	Y	CERT/HRT (Specify)
H	Non-Medical Transports from other institutions	Q	Bereavement Leave	Z	Out Service
I	POC	R	FMLA	AA	All other- Specify
OVERTIME JUSTIFICATION WILL BE MARKED ACCORDING TO THE ABOVE LIST					